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DEPT FOR AF A A/S CARTER, AF/SPG, AF/C  
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TAGS: [ASEC](#) [PGOV](#) [PREL](#) [KPKO](#) [SOCI](#) [AU](#) [UNSC](#) [SU](#)  
SUBJECT: GOS-JEM "DETAINEE EXCHANGE" A ONE-SIDED AFFAIR

REF: A) KHARTOUM 245  
B) KHARTOUM 236

¶1. (SBU) As a "goodwill gesture" to the rebel Justice and Equality Movement (JEM) following the Doha talks, the GOS released 24 detainees on February 22 who it claimed were members of JEM. JEM Spokesman Ahmed Hussein was unable to immediately confirm if the detainees - whose names were published in government-controlled newspapers - were members of JEM. He told the Sudanese Media Center: "We are going to verify that because they just released the names and maybe they released these people, but we don't know whether they are members of JEM or not." JEM later claimed that none of the detainees was from the movement.

¶2. (SBU) UNMIS Human Rights confirmed with the families of some, but not all, of the detainees that they had been released from GOS custody that week. According to UNMIS Human Rights officer Mary Kalemkarian, four of the detainees had been arrested in April, prior to the May 10 JEM assault on Omdurman, and the rest were swept up in the massive GOS dragnet conducted in the days following the attacks. Approximately 350 Darfuris whose arrests were reported in April, May and June 2008 remain unaccounted for. Many of those arrested then were Zaghawa, the tribe from where most of Darfur's rebel fighters come from. However, UNMIS Human Rights has yet to receive cooperation from Sudanese authorities in providing details on whom the latter originally detained, and whom they have since released. ICRC stated it had no contact with any of the supposed detainees, and the independent Darfur Bar Association, which had publicly defended detainees arrested following the May 10 JEM attacks, was unable to confirm the release of any detainees.

¶3. (SBU) On February 23, a UNAMID delegation and representatives from the Joint Mediation Support Team (JMST) met with Sudanese Minister of Justice Abdul-Bassit Sabdarat, to be briefed about the release of 24 persons detained for allegedly taking part in the Omdurman incident of 10 May 2008. According to UNAMID, Sabdarat explained that this action was a goodwill gesture from the Government of Sudan, in honor of the Emir of Qatar's recent visit, and that the release constituted one of the confidence-building measures in the recently-signed Doha Goodwill Agreement between the Justice and Equality Movement (JEM) and the Government of Sudan. Sabdarat also expressed the hope that this action would lead to positive developments in future talks between the two parties.

¶4. (SBU) For its part, JEM is still vacillating on whether to release its GOS prisoners, as some sources indicate that JEM still holds a significant number of GOS fighters. On February 23, Ahmed Hussein cryptically commented to Sudan Radio Service, "The decision about these people has been taken, but now we are looking for the right mechanism actually to hand them over to the Government of Sudan. There is an offer now from the ICRC; they would like to play a role on this. But until now we haven't finalized any kind of agreement with them on this, but we are looking forward to seeking

their help and also the help of UNAMID as well." He added that at this point JEM intends to hand over 21 prisoners, but did not offer a date of release.

15. (SBU) Comment: The substance behind this month's "goodwill gesture" between JEM and the GOS reveals how little each side is interested in genuine negotiations and peace-building in Darfur. If the Doha agreement was truly a step toward ending the conflict between the two warring Islamist groups, neither side would still be clutching to such an important bargaining chip as its opponent's fighters. Sadly, this unfulfilled promise from Doha shows how little both sides are willing to do to create the right conditions for further progress in upcoming talks. Given the impending ICC indictment, the GOS may be willing to do more on this score than JEM, as we have seen from the release of Zaghawa Darfuris from prisons in Khartoum. However, Khalil Ibrahim's half-brother remains in jail pending further progress between the parties. Most likely, Khartoum would like to hold onto Khalil's brother until it sees whether JEM mounts another military offensive following the ICC announcement next week, as JEM has already threatened it will do or whether it can be enticed to offer something more substantive in Doha in the form of a cessation of hostilities.

FERNANDEZ